UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,317	06/28/2001	Stephen R. LaPierre	36968-255226	7981

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EXAMINER
ESCALANTE, OVIDIO

ART UNIT	PAPER NUMBER
2645	

DATE MAILED: 01/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11/6/2003*

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5,24-41 and 43-59* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5,24-41 and 43-59* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a)☐ All b)☐ Some * c)☐ None of:
1.☐ Certified copies of the priority documents have been received.
2.☐ Certified copies of the priority documents have been received in Application No. _____.
3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)   4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5)☐ Notice of Informal Patent Application (PTO-152)
3)☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6)☐ Other: .

DETAILED ACTION

1.   This action is in response to applicant's amendment filed on November 6, 2003. **Claims**

1-3,5-23,24-41,43-59 are now pending in the present application.

Claim Rejections - 35 USC § 103

2.   The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

3.   Claims 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Picard et al.

US Patent No. 6,233,318 in view of Creswell et al. US Patent 5,544,229.

Regarding claim 17, Picard teaches a method for providing a status certification for a

video mail message asynchronous dialog in a video-enabled communications network (col. 7,

lines 13-19; Picard teaches of providing status information for video, voice, e-mail and facsimile

messages) comprising:

assigning a message identifier for said first video mail message, (col. 13, lines 22-32;

each message has an identifier so that it can be located);

creating a disposition identifier in response to a disposition event, (col. 7, lines 13-19);

associating said disposition identifier with said first video mail message, (col. 2, lines 26-

33; col. 7, lines 13-19);

compiling said disposition identifier and said first video mail message identifier to create

a status notification in response to a triggering event, (col. 2, lines 26-33; col. 7, lines 13-19);

storing said status notification in a temporary video mailbox, (col. 18, lines 29-38); and

providing an access identifier for accessing said temporary video mailbox, (col. 10, lines

38-59).

Picard does not specifically teach wherein an asynchronous dialog performed among using having said access identifier via said temporary video mailbox.

Creswell teaches that it was well known in the art to perform an asynchronous dialog among users having an access identifier via a voice mail box, (col. 12, lines 38-59; col. 13, lines 14-34). Creswell teaches that a caller enters an access ID so that they can hear any customized messages that was left for them and so that they can leave a customized message for the called party.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Picard by allowing asynchronous dialog using an access identifier as taught by Creswell so that callers and subscribers can exchange messages if one of the parties are not available at the time of the call.

Regarding claim 18, Picard teaches receiving a reply; associating said reply with said first video mail message, (col. 8, lines 42-54); and storing said reply in said temporary video mail box, (col. 15, lines 31-40).

Regarding claim 19, while Picard does not specifically teach of billing a party it would have been obvious that Picard would have billed the user since it was well known in the art to charge users or subscribers a fee for using a service that it provided by the service provider.

Nonetheless, Picard in view of Creswell teaches billing a party to said first video mail message for said providing of said status certification, (col. 2, lines 10-21). Therefore it would have been obvious to modify the teachings of Picard to including billing so that the service provider can be paid for providing a service to its users.

4.   Claims 1-3,7-16,20-22,26-41,45-50,52 and 54-59 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Hanson et al. US Patent 6,014,427 in view of Bartholomew US Patent

6,285,745 and further in view of Creswell et al. US Patent 5,544,229.

Regarding claims 1 and 20, Hanson teaches a method and system for providing a status

certification for a first voicemail message in a telecommunications network (abstract; figs. 7-9;

col. 9, lines 48-64; the message originator can receive a certified status report for a message)

comprising:

assigning a message identifier for said first voicemail message, (e.g. ID#002), (col. 5,

lines 52-55; col. 9, lines 23-29);

creating a disposition identifier in response to a disposition event, (col. 5, lines 55-61; the

disposition identifier relates to among other things, message recipients who have replied or have

not responded to a message);

associating said disposition identifier with said first voicemail message, (col. 5, lines 55-

61; col. 9, lines 4-22);

compiling said disposition identifier and said first voicemail message identifier to create a

status notification in response to a triggering event, (col. 5, lines 52-61; col. 9, lines 4-47);

storing said status notification in a voicemail box, (col. 9, lines 4-47); and

providing an access identifier for accessing said voicemail box, (col. 3, lines 46-52).

While Hanson does not specifically teach that the voicemail box is a "temporary"

voicemail box, the Examiner notes that it would have been obvious if not inherent that Hanson

has a "temporary" voicemail box since Hanson does not state that the voicemail box is

permanent. Furthermore, if the voicemail box of Hanson was permanent it would only be

permanent while the user is a subscriber to the system and not when the user ceases to be a

subscriber therefore, one skilled in the art will view this as a temporary voice mailbox.

Nonetheless, Bartholomew teaches that it was well known in the art to store messages in

a temporary voice mailbox, (col. 24, lines 42-54). Bartholomew teaches that one would have

been motivated to have a temporary box so that parties who are not subscriber to voice mail can

still receive voice mail messages from voice mail senders.

While Hanson teaches of an asynchronous dialog among users, Hanson does not

specifically teach of wherein an asynchronous dialog is performed among users having said

access identifier via said temporary voicemail box.

Creswell teaches that it was well known in the art to perform an asynchronous dialog

among users having an access identifier via a voice mail box, (col. 12, lines 38-59; col. 13, lines

14-34). Creswell teaches that a caller enters an access ID so that they can hear any customized

messages that was left for them and so that they can leave a customized message for the called

party.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Hanson by including a temporary voice mailbox as

suggested by Bartholomew so that called parties who do not possess voice mail boxes can still

receive voice mail messages from senders. It would have been further obvious to one of ordinary

skill in the art at the time the invention was made to modify the system of Hanson and

Bartholomew by allowing asynchronous dialog using an access identifier as taught by Creswell

so that callers and subscribers can exchange messages if one of the parties are not available at the

time of the call.

Regarding claims 2,21 and 40, Hanson in view of Bartholomew teach receiving a first

reply; associating said first reply with said first voicemail message, (col. 7, lines 17-24); and

storing said first reply in said temporary voicemail box, (col. 9, lines 4-27).

Regarding claims 3,22 and 41, Hanson teaches billing a party to said first voicemail

message for said providing of said status certification, (col. 7, lines 17-24).

Regarding claim 7,26 and 46, Hanson teaches wherein said disposition event comprises

at least one of: a managing event; and a dispatching event, (col. 5, lines 52-61; col. 9, lines 38-

47).

Regarding claim 8,27and 47, Hanson teaches wherein said managing event comprises at

least one of: accessing said first voicemail message and presenting an indication of said first

voicemail message, (col. 5, lines 52-61; col. 9, lines 48-64).

Regarding claim 9,28 and 48, Hanson teaches wherein said managing event comprises

denying said status certification of said first voicemail message, (col. 9, lines 48-64).

Regarding claim 10,29 and 49, Hanson teaches wherein said dispatching event

comprises at least one of: forwarding said first voicemail message; and replying to said first

voicemail message, (col. 7, lines 17-24).

Regarding claim 11,30 and 54, Hanson teaches wherein said first voicemail message

identifier an alphanumeric identifier, (fig. 9).

Regarding claim 12,31 and 55, Hanson teaches wherein said first voicemail message

identifier comprises at least one of: a role identifier; a party identifier; a date identifier; and a

time identifier, (col. 9, lines 4-47).

Regarding claim 13,32 and 56, Hanson teaches wherein said role identifier comprises at least one of: an originator; a sender; a caller and a recipient, (fig. 9; sender and recipients are identified in the message).

Regarding claim 14,33 and 57, Hanson teaches wherein said party identifier comprises an access address, (fig. 9; e.g. sender 908-555-1234).

Regarding claim 15,34 and 58, Hanson teaches storing an attribute for said status certification for said first voicemail message, wherein said attribute comprises at least one of: said first voicemail message identifier; said disposition identifier; said reply; and said status notification, (figs 7-9; col. 9, lines 4-37).

Regarding claim 16,35 and 59, Hanson teaches an administrative functionality, wherein said administrative functionality comprises at least one of: monitoring said attribute informing a recipient of said attribute, (col. 7, line 55-col. 8, line 3; col. 9, lines 4-47).

Regarding claim 36, Hanson teaches a data repository operative to store said attributes, (col. 3, lines 16-32).

Regarding claim 37, Hanson teaches wherein said data repository comprises a database, (fig. 2; col. 3, lines 16-32).

Regarding claim 38, Hanson teaches wherein said data repository comprises: a first database for storing said first voicemail message; and a second database for storing said attribute, (fig. 2).

Regarding claim 39, Hanson teaches a system to provide a status certification for a voicemail message in a telecommunication network comprising an intelligent peripheral, (col. 9, lines 48-64) operative to:

assign a message identifier for said first voicemail message, (col. 5, lines 52-55; col. 9,

lines 23-29);

create a disposition identifier in response to a disposition event, (col. 5, lines 55-61; the

disposition identifier relates to , among other things, message recipient who have relied to the

sender's message); and

associate said disposition identifier with said first voicemail message, (col. 5, lines 55-61)

compile said disposition identifier and said first voicemail message identifier to create

said status notification in response to a triggering even, (col. 5, lines 52-61; col. 9, lines 4-47)

store said status notification in a voicemail box, (col. 7, lines 17-24; col. 9, lines 4-47);

and

provide an access identifier for accessing said voicemail box, (col. 3, lines 46-52).

While Hanson does not specifically teach that the voicemail box is a "temporary"

voicemail box and of using the system in an AIN system, the Examiner notes that it would have

been obvious if not inherent that the Hanson would have had a "temporary" voicemail box since

Hanson does not state that the voicemail box is permanent. Furthermore, if the voicemail box of

Hanson was permanent it would only be permanent while the user is a subscriber to the system

and not when the user ceases to be a subscriber therefore, one skilled in the art will view this as a

temporary voice mailbox.

Nonetheless, Bartholomew teaches that it was well known in the art to store messages in

a temporary voice mailbox, (col. 24, lines 42-54). Bartholomew further teaches that it was well

known in the art to have a messaging system in an AIN network system, (col. 18, lines 28-40).

Bartholomew teaches that one would have been motivated to have a temporary box in an AIN

system so that parties who are not subscribers to voice mail can still receive voice mail messages from the sender.

While Hanson teaches of an asynchronous dialog among users, Hanson does not specifically teach of wherein an asynchronous dialog is performed among users having said access identifier via said temporary voicemail box.

Creswell teaches that it was well known in the art to perform an asynchronous dialog among users having an access identifier via a voice mail box, (col. 12, lines 38-59; col. 13, lines 14-34). Creswell teaches that a caller enters an access ID so that they can hear any customized messages that was left for them and so that they can leave a customized message for the called party.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hanson by including a temporary voice mailbox in an AIN system as suggested by Bartholomew so that called parties who do not posses voice mail boxes can still receive voice mail messages from the message originator. It would have been further obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Hanson and Bartholomew by allowing asynchronous dialog using an access identifier as taught by Creswell so that callers and subscribers can exchange messages if one of the parties are not available at the time of the call.

Regarding claim 45, Hanson teaches wherein said triggering event comprises at least one of: a disposition event; and a passage of time, (col. 9, lines 4-47).

Regarding claim 50, Hanson in view of Bartholomew teaches a service switching point functionally connected to said intelligent peripheral; and an interface functionally connected to a

service switching point and operative to accept communications from a second communications

network, (fig. 1; col. 18, lines 28-40; Bartholomew teaches that it was well known in the art to

use an AIN system and therefore, it would have been obvious to have a SSP and IP

interconnected to other networks).

Regarding claim 52, Hanson teaches a computer network functionally connected to said

interface and operative to facilitate access to said status notification by a computer network client

device, (fig. 1).

Regarding claims 5-6,24-25 and 43-44, while Hanson in view of Bartholomew teach of

communication a message to a recipient and having the recipient reply back to the sender of the

message and of an asynchronous dialog among users of the telecommunications system (AIN),

Hanson and Bartholomew does not teaches of receiving a second reply to the first reply.

Creswell teaches that it was well known in the art to have an asynchronous dialog

between to end users, (col. 12, lines 38-59, col. 13, lines 14-34). Creswell further teaches

wherein said asynchronous dialog comprises: accessing said temporary voicemail box with said

access identifier (col. 12, lines 38-59, col. 13, lines 14-34); receiving a second reply (voice mail

message) to at least one of said first reply and said first voicemail message; associating said

second reply with said first voicemail message; and storing said second reply, (col. 12, lines 38-

59, col. 13, lines 14-34).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Hanson and Bartholomew by allowing the user to

have an asynchronous dialog as taught by Creswell so that parties may converse with each other

without establishing a real time connection.

5.   Claims 51 and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hanson

in view of Bartholomew and Creswell and further in view of LaPorta et al. US Patent 6,014,429.

Regarding claims 51 and 53, while Hanson teaches of using wireless device and personal

communication devices, Hanson does not specifically teach of a MTSO function connected to an

interface and a personal digital assistance communicating to the network.

LaPorta teaches of a system for allowing a user to send a message to plural recipient and

to allow the plural recipients to reply back to the sender. LaPorta further teaches that it was well

known in the art to have a mobile telephone switching office (MTSO) functionally connected to

said interface and operative to facilitate access to said status notification by a cellular device,

(col. 17, lines 33-56). LaPorta further teaches a personal digital assistant communications

network functionally connected to an interface and operative to facilitate access to a status

notification by a personal digital assistant, (col. 7, lines 1-6).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to modify the system of Hanson and Bartholomew by using a MTSO or a

PDA as suggested by LaPorta so that the wireless device of Hanson can communicate with the

messaging network.

Response to Arguments

6.   Applicant's arguments with respect to claims 1-3,5-2,24-41,43-59 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

7.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

8.   Any response to this action should be mailed to:

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

or faxed to:

(703) 872-9306, (for formal communications intended for entry)

Or:

(703) 872-9314, (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal

Drive, Arlington, VA, Sixth Floor (Receptionist).

9.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Ovidio Escalante whose telephone number is (703) 308-6262.

The examiner can normally be reached on Monday to Friday from 6:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Fan Tsang, can be reached on (703) 305-4895. The fax phone number for this Group

is (703) 872-9306.

Communications via Internet e-mail regarding this application, other than those under 35

U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be

addressed to [fan.tsang@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO

employees do not engage in Internet communications where there exists a possibility that

sensitive information could be identified or exchanged unless the record includes a properly

signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly

set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and

Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the Technology Center 2600 Customer Service Office whose telephone

number is (703) 306-0377.

Ovidio Escalante
Examiner
Group 2645
January 26, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECH CENTER 2600